

## AGENDA

### REGULAR MEETING OF THE SAN JACINTO CITY COUNCIL

May 21, 2009, 7:00 p.m.

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2045 South San Jacinto Avenue  
San Jacinto Unified School District Board Room, San Jacinto, CA 92583

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#### 1. ORGANIZATION

- 1.1 Call to Order
- 1.2 Roll Call
- 1.3 Invocation
- 1.4 Pledge of Allegiance
- 1.5 Special Presentations
  - 1.5.1 Business Spotlight of the Month is San Jacinto Medical Clinic / Urgent Care / Lakshman and Vidhya Koka, MD accepting
  - 1.5.2 Certificate of Appreciation for Motor Officer Clark /
  - 1.5.3 Certificate of Appreciation for Police Volunteers from the City of Beaumont Police Department

#### 2. PUBLIC COMMENTS:

*Now is the time for the public to address the Council on any subject within the jurisdiction of the City Council not listed on the agenda. A limitation of three (3) minutes shall be set for each person desiring to address the City Council.*

#### 3. CONSENT CALENDAR

*The matters listed under Consent Calendar are considered routine and will be enacted by one motion by City Council Members in the form listed. There will be no separate discussion on these items prior to the motion unless members of the City Council, staff or the public requests a specified item be removed and/or discussed. If an item is pulled, it will be heard at the end of number '5. Staff Reports.'*

- 3.1 Warrants and Disbursements April 2009 / **Review and Approve** / Interim Finance Director
- 3.2 April 2, 2009 Minutes – Regular Meeting / **Approve** / City Clerk
- 3.3 May 7, 2009 Minutes – Regular Meeting / **Approve** / City Clerk

- 3.4 Continuation of the Proclamation of the Local State of Emergency due to The Severe High and Damaging winds / **Approve** the continuation of the proclamation of the Local State of Emergency / City Attorney
- 3.5 Treasurer's Report at April 30, 2009 / **Receive and File** / City Treasurer
- 3.6 2009 Master Plan Sewer Lines Improvement Projects / **Approve** the plans and specifications for said project and direct city clerk to advertise for bids / City Engineer
- 3.7 Ordinance No. 09-02 / approving Planned Unit Development 2-06, a Change of Zone from Single Family Residential (R-1) to Two-Family Residential-PUD (R-2-PUD), located on the west side of Kirby Street, north of Esplanade Avenue, Applicant: Mario Zamorano / Planning Director / **Approve** second reading and **adopt** Ordinance No. 09-02 **and by further motion** read by title only:

**An Ordinance of the City Council of the City of San Jacinto, California approving a change of zone from Single Family Residential (R-1) to Two Family Residential-PUD (R-2-PUD) for Case No. PUD 2-06, a Planned Unit Development, located on the west side of Kirby Street, north of Esplanade Avenue, in the City of San Jacinto, County of Riverside.**

- 3.8 Ordinance No. 09-14 / authorizing the appointment of City Manager as City Clerk and Resolution No. \_\_\_\_ Appointing Barry McClellan to the Office of City Clerk of the City of San Jacinto / **Approve and Adopt** / City Attorney
  - a) **Approve** second reading and **adopt** Ordinance No. 09-14 **and by further motion** read by title only:

**An Ordinance of the City Council of the City of San Jacinto Amending Sections 2.12.010 and 2.20.010 of the San Jacinto Municipal Code to Provide for the Appointment by the City Council of the City Manager as City Clerk of the City of San Jacinto**

- b) **Adopt Resolution No. \_\_\_\_ Appointing Barry McClellan to the Office of City Clerk of the City of San Jacinto**
- 3.9 Ordinance No. 09-12 / An ordinance Adopting Updated city-wide speed survey and directing the City of San Jacinto Public Works Department to Implement the Speed Limit Recommendations Contained Therein / City Attorney and City

Engineer / **Approve** second reading and **adopt** Ordinance No. 09-12 **and by further motion** read by title only:

**An Ordinance of the City Council of the City of San Jacinto, California, Approving and Adopting the Updated City-wide Speed Survey and Directing the City of San Jacinto Public Works Department to Implement the Speed Limit Recommendations Contained Therein**

- 3.10 Ordinance No. 09-15 / An ordinance to regulate the land application of sludge and manure / Assistant City Manager / **Approve** second reading and adopt Ordinance No. 09-15 **and by further motion** read by title only:

**An Ordinance of the City Council of the City of San Jacinto Establishing Chapter 8.64 of the San Jacinto Municipal Code Pertaining to the Land Application of Sewage Sludge and Manure**

- 3.11 Ordinance No. 09-16 / An ordinance to Regulate Water Conservation and Water Supply Shortages / Public Works Director / **Approve** second reading and adopt Ordinance No. 09-16 **and by further motion** read by title only:

**An Ordinance of the City Council of San Jacinto Amending Section 13.04.070 of Chapter 13.04 of the City of San Jacinto Municipal Code Establishing Water Conservation and Water Supply Shortage Program and Regulations**

- 3.12 Resolution No. \_\_\_\_ / A Resolution for LLPD No. 2 Annual Assessments for FY 2009-10 / **Approve and Adopt** / Interim Finance Director

**A Resolution of the City Council of the City of San Jacinto, California, Initiating Proceedings Pursuant to the Landscape and Lighting Act of 1972 for the Levy and Collection of the Annual Assessments and Ordering the District's Engineer to Prepare and to File a Report Related to Maintenance of Public Improvements in the City of San Jacinto Landscaping, Lighting and Park District No. 2, and any Assessment thereon for Fiscal Year 2009-10 (LLPD No. 2, FY 09-10 Levy)**

- 3.13 Western Riverside Council of Governments (WRCOG) – Clean Cities Program /Authorize City Manager to sign and execute an agreement for Professional Consultant Services for Western Riverside Council of Governments (WRCOG) / **Approve** / Public Works Director

- 3.14 Resolution No. \_\_\_\_\_ / A Resolution Declaring Severe Fiscal Hardship / **Approve and Adopt** / City Manager

**A Resolution of the City of San Jacinto Finding that a Severe Fiscal Hardship will Exist if Additional City Property Tax Funds are Seized and Additional Unfunded Mandates are Adopted by the State of California**

#### **4. PUBLIC HEARING**

- 4.1 Ordinance No. 09-10 / An ordinance (Zoning Amendment Ordinance No. 01-09) regarding the Gateway area and city-wide wireless telecommunications facilities / **Continued from May 7, 2009 City Council meeting** / Planning Director

**Approve** introduction and first reading of Ordinance No. 09-10 **and by further motion** read by title only:

**An Ordinance of the City Council of the City of San Jacinto, California, approving amendments to Article 23, Section 23.76, Wireless Telecommunication Facilities, to Amend the City's Regulations Establishing Standards for Wireless Telecommunications Facilities in the Gateway Area and City-wide**

- 4.2 General Plan Amendment 3-08, Change of Zone 6-08 and Conditional Use Permit 15-08 for a 129,873 square foot mixed use commercial project that includes an 88,233 square foot 3-story hotel, 10,140 square foot restaurant, and 31,500 square feet of retail commercial and office space in four buildings on 13 acres at the southwest corner of Ramona Expressway and Cawston Avenue. Applicant: Shelbran Investments, 1590 Shelbran Court, San Jacinto, CA 92582
- a) Adopt the Mitigated Negative Declaration; and
  - b) Adopt Resolution No. \_\_\_\_ approving General Plan Amendment 3-08 based upon the Planning Commission's recommendation;

**A Resolution of the City Council of the City of San Jacinto, California, approving an amendment to the land use element of the General Plan to Re-designate 13 acres of real property specified herein as Community Commercial (CC): File No. GPA 03-08**

- c) Introduce Ordinance No. 09-17 for first reading approving Change of Zone 6-08 based upon the Planning Commission's recommendation and by further motion read by title only:

**An Ordinance of the City Council of the City of San Jacinto, California approving a Change of Zone from**

**Light Manufacturing (M-1) to General Commercial (C-2), located at the southwest corner of Ramona Expressway and Cawston Avenue in the City of San Jacinto, County of Riverside.**

- d) Adopt Resolution No. \_\_\_\_ approving Conditional Use Permit No. 15-08 subject to the attached Conditions of Approval, and delete Planning Condition No. 32 as regards septic disposal systems.

**A Resolution of the City Council of the City of San Jacinto, California, approving Conditional Use Permit 15-08 for an 88,233 square foot 3-story hotel, 10,140 square foot restaurant and 31,500 square feet of retail space in four buildings with alcohol consumption likely to occur in both the restaurant and hotel on a 13-acre site located on the southwest corner of Ramona Expressway and Cawston Avenue (APN 430-100-017): CUP No. 15-08**

## **5. STAFF REPORTS**

*At the end of the scheduled City Department items, anyone wishing to discuss a consent calendar item should come forward upon invitation of the Mayor; state their name, address, and the consent calendar item number pulled. Speakers should limit comments to three (3) minutes.*

- 5.1 Planning Commission Vacancy / Direct staff to advertise for applications or select from previous applications upon recommendation of the Selection Subcommittee / **Approve** / City Clerk
- 5.2 Estudillo Heritage Park Perimeter Landscaping Project (CIP) 04-077), award of contract / **Approve** / City Engineer
- 5.3 Adjournment of July 16, 2009 and August 20, 2009 Regular City Council Meetings / **Approve** / City Manager
- 5.4 2009-10 Capital Improvement Project Budget Presentation / **Discuss and Provide Direction to Staff** / City Engineer
- 5.5 Second Review of Proposed Fiscal Year 2009-2010 Budget / **Discuss and Provide Direction to Staff** / City Manager

## **6. MAYOR / COUNCIL MEMBER REPORTS / DISCUSSIONS**

- 6.1 Sub-Committee and/or Agency Agendas / **Receive and File** / City Clerk

## 7. CLOSED SESSION

### 7.1 CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION

Initiation of litigation pursuant to subdivision (c) of Section 54956.9: One (1) case

### 7.2 CONFERENCE WITH LABOR NEGOTIATORS

Agency designated representatives: Barry McClellan, City Manager/ Jeff Ballinger, City Attorney

Employee organization/ Unrepresented Employee(s): SEIU & Management

## 8. ADJOURNMENT

*If you challenge any action of the City Council in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the City Council (c/o the City Clerk) at, or prior to, the public hearing.*

*CHALLENGE TO LAND USE DECISIONS: Any person seeking to challenge a decision regarding land use made by the City Council as a result of a proceeding in which by law a hearing is required to be given, shall be required to commence that action 90 days following the date on which the decision of the City Council becomes final as provided in Code of Civil Procedure Section 1094.6. Please refer to Code of Civil Procedure Section 1094.6 to determine how to calculate when a decision becomes final.*

*It is the intention of the City of San Jacinto to comply with the Americans with Disabilities Act (ADA) in all respects. If, as an attendee or a participant at this meeting, or in meetings on a regular basis, you will need special assistance beyond what is normally provided, the City will attempt to accommodate you in every reasonable manner. Please contact City Hall at (951) 537-6358, at least 48 hours prior to the meeting to inform us of your particular needs and to determine if accommodation is feasible.*

**DOCUMENTS RELATED TO OPEN SESSION AGENDAS (SB 343)** -- Any public record, relating to an open session agenda item, that is distributed within 72 hours prior to the meeting is available for public inspection at the public counter located in the Administration Building of City Hall, 595 S San Jacinto Avenue, San Jacinto, California, 92583.

*I, Richard Miller, Deputy, City Clerk of the City of San Jacinto, do hereby certify that I caused to be posted the foregoing agenda this 15<sup>th</sup> day of May, 2009, as required by law.*

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*Richard Miller, Deputy City Clerk*